

THE LAW OFFICE OF  
**NOOR A. SAAB**

380 N. Broadway, Ste 300  
Jericho, New York 11753

Tel: (718) 740-5060 \* Fax: (718) 709-5912

Email: [NoorASaabLaw@gmail.com](mailto:NoorASaabLaw@gmail.com)

Noor A. Saab, Esq.\*

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\* Admitted in New York

QUEENS OFFICE

148-02 Hillside Ave

Jamaica, New York 11435

September 21, 2023

**BY ECF**

Honorable Judge Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: Felix Castro v. Escape Outdoors., Inc. - Case No. 1:23-cv-6285

To the Honorable Judge Katherine Polk Failla,

Plaintiff submits this letter-motion respectfully requesting that the initial conference be adjourned and the Plaintiff be granted an extension of time to serve the Defendant. The instant action was filed July 20, 2023. Plaintiff has made two (2) attempts to personally serve the Defendant. Unfortunately, service has not been executed. Plaintiff respectfully requests a thirty (30) day extension to attempt service on the Secretary of State to effect service upon the Defendant and an adjournment of the initial conference and a reset of the case deadlines. This is the first time the Plaintiff has requested this relief.

The Plaintiff wishes to thank Your Honor and this Court for the time and attention to this matter.

Respectfully submitted,

/s/ Noor A. Saab, Esq.

Application GRANTED. The initial pre-trial conference previously scheduled for September 29, 2023, is hereby ADJOURNED *sine die*, pending proper service of Defendant in this matter. Plaintiff shall effect service of Defendant on or before **November 18, 2023**, or otherwise provide this Court with good cause for that failure on or before **November 24, 2023**. Should Plaintiff fail to do so, this Court will dismiss the action pursuant to Fed. R. Civ. P. 4(m).

The Clerk of Court is directed to terminate the pending motion at docket number 6.

SO ORDERED.

Dated: September 22, 2023  
New York, New York



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE